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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,689	11/18/2003	Timothy C. Krywaczyk	END920030002US1	4803
45602	7590	04/19/2005		
SCULLY, SCOTT, MURPHY & PRESSNER 400 GARDEN CITY PLAZA GARDEN CITY, NJ 11530			EXAMINER RAO, SHRINIVAS H	
			ART UNIT	PAPER NUMBER
			2814	

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/715,689	Applicant(s) KRYWANCZYK ET AL.	
	Examiner Steven H. Rao	Art Unit 2814	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 February 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) 21-29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-20, 30-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### ***Response to Amendment***

Applicants' amendment filed on February 14, 2005 has been entered and forwarded to the Examiner on February 16, 2005.

Therefore claims 1,11 as amended by the amendment and presently newly added claims 30-31 and claims 2-9 and 12-19 as previously recited are currently pending in the Application.

Non-elected claims 21-29 have been withdrawn and must be cancelled see below.

### ***Election/Restrictions***

This application contains claim 21-29 are drawn to an invention nonelected with traverse in Paper No. 2/14/ 05 .

A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

It is noted that Applicants' traversal on the ground that "curable tapes of group I claims are very well suited for use in the methods of group ii claims" is not persuasive because , the test for restriction/election that was used , namely that the product as claimed can be made by another and materially different process ( MPEP 806.05 (f) is still satisfied by claims.

The restriction/election is made Final.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim s 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated Moon et al. (WO 92/156651 , herein after Moon).

With respect to claims I and 11 Moon describes a UV energy curable tape comprising: a support layer; ( Moon page 5 line 30-page 6 line 2) an adhesive material positioned on said support layer. ( Moon page 5 lines 30 -page 6 line 2) including a UV energy curable oligomer, (Moon Example 1 ) a UV energy initiator, ( Moon page 6 lines 19-28) and a material which starts to emit optical light when said tape is substantially fully cured ( Moon page 7 lines 18 to 21) .

It is noted that “ and “ becomes substantially cured” starts to emit light “is a product by process limitation for which no patentable weight can be given unless recited in proper format.

With respect to claims 2 and 12, Moon describes the UV energy curable tape of claim 1, wherein said adhesive material comprises an acrylate oligomer. ( Moon page 5 lines 8-14).

With respect to claims 3 and 13, Moon describes The UV energy curable tape of claim 1, wherein said UV energy curable oligomer comprises a material capable of reacting with radicals to form longer chain polymers. ( Moon page 6 line 28 cross linking- inherent propedy when molecules cross link they form longer chain polymers/coploymers).

With respect to claims 4 and 14, Moon describes The UV energy curable tape of claim 1 , wherein said UV energy initiator comprises photoinitiator.

1 9 ( Moon page 6 line ).

With respect to claims 5 and 15 Moon describes the UV energy curable tape of claim 4, wherein said photoinitiator includes diphenyl groups that create radicals when exposed to UV energy. ( Moon page 6 lines 19-25).

With respect to claims 6 and 16 Moon describes the UV energy curable tape of claim 1 , wherein said material which emits optical light comprises UV sensitive ink. ( Moon page 6 line zo-pigments).

With respect to claims 7 and 17 Moon describes the UV energy curable tape of claim 6, wherein said material which emits optical light comprises from about .001 weight percent to about 20 weight percent of said tape. ( Moon claim 6).

With respect to claim 8 and 18 Moon describes the UV energy curable tape of claim 1 , wherein said material which emits optical light comprises UV sensitive dye. ( Moon page 7 line 20-21).

With respect to claims 9 and 19 Moon describes the UV energy curable tape of claim wherein substantially fully cured comprises the absorption of about 5 millijoules/cmz to about 10 joules/cmz of UV energy into said tape. ( Moon page 4 line 10).

With respect to claim 20 Moon describes the UV energy curable tape of

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claim 9, wherein said UV energy comprises UV light. ( Moon page 1 line 20).

With respect to claims 30 and 31 wherein the light emitting material emits light of second type different from first type, as the tape is being cured and the type of light emitted by said light material changes from said second type to said first type when the type becomes substantially cured and wherein the light matches the amount of energy required to substantially fully cure the tape, thereby to facilitate completely removing the tape from given substrate. ( rejected for reasons stated under claims 11 26, 27 etc.).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Steven H. Rao whose telephone number is (571) 272-1718. The examiner can normally be reached on Monday- Friday from approximately 7:00 a.m. to 5:30 p.m.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0956. The

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Group facsimile number is (703) 308-7724.

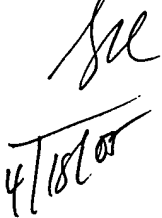
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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Steven H. Rao

Patent Examiner



4/18/00



PHAT X. CAO  
PRIMARY EXAMINER